

National Disaster Resilience Competition Frequently Asked Questions

Remember: We do our best, but **if an answer below does not completely comport with the NOFA, the NOFA prevails.** Please read the NOFA carefully.

1. Why should you apply?

- Pursue local physical, social, and economic resilience
- Focus on the most vulnerable populations and sectors and protect them
- Compete and learn with a national cadre of communities
- Broad technical support across Federal granting agencies
- Parallel (and independent) philanthropic effort
- U.S annual disaster declarations rising

2. What are the Goals of the NDRC?

- To fairly allocate remaining PL 113-2 Community Development Block Grant (CDBG) disaster recovery funds.
- To apply science-based and forward-looking risk analysis to address recovery, resilience, and revitalization needs.
- To leave a legacy of institutionalizing the implementation of thoughtful, innovative, and resilient approaches to addressing future risks.
- To provide resources to help communities plan and implement disaster recovery that makes them more resilient to future threats while improving quality of life and making communities more resilient to economic stresses or other shocks.
- To fully engage stakeholders about the impacts of climate change and to develop pathways to resilience based on sound science.
- To leverage investments from the philanthropic community to help communities define problems, set goals, explore options, and craft solutions.

3. What are all the pieces of the NOFA?

- NOFA
- Appendices
 - A – Program and Post-Award Requirements
 - B – List of Qualified Counties
 - C – Phase 1 and Phase 2 Partner Letter
 - D – Phase 2 Partner Agreement Terms
 - E – Phase 2 Instructions for Requesting Waivers
 - F – Phase 1 and Phase 2 Certifications
 - G - Phase 1 and Phase 2 Most Impacted and Distressed and Unmet Recovery Needs Criteria and Instructions
 - H – Phase 2 Benefit-Cost Analysis Guidance for Covered Projects
 - I – Phase 1 and Phase 2 Consultation Summary
 - J – Phase 1 and Phase 2 Crosswalk Checklist
- General Section

4. Where did the funds come from?

- Congress appropriated CDBG supplemental funds in Public Law 113-2. After some funds were taken back in a rescission, \$15.2 billion was available
- HUD allocated about \$14.2 billion by formula to areas that were nationally most impacted and distressed by the disasters of 2011, 2012, and 2013 (CDBG-DR)
- See <https://hudexchange.info/cdbg-dr>
- The remaining funds (\$999,108,000) support this competition

5. Why a competition?

- The data available for allocation are aging and not credible beyond formula awards already made.
- The data are up at the county level and don't highlight unmet recovery needs in smaller most impacted and distressed areas.
- The data supporting the formula don't consider local pre-disaster distress measures.
- P.L 113-2 requires use of the *best available data*.

6. Who may apply?

- 67 governmental applicants are eligible to apply for \$817M general pool. See list in NOFA.
- 3 applicants for \$181M Sandy pool. See list in NOFA.
- NDRC factors are the same for both pools.
- HUD reserves the ability to ensure geographic diversity.

7. May eligible counties apply?

- Only the 67 listed governmental applicants are eligible to apply. See list in NOFA.
- "Eligible county" is used to describe a county with a declaration for a Qualified Disaster; such a county is not automatically considered most impacted and distressed
- An Eligible Applicant must demonstrate at least one most impacted and distressed area with unmet recovery needs to meet the NOFA threshold; the same demonstration is required for any area proposed to benefit from CDBG-NDR assistance.
- HUD requires consultation with affected local governments and stakeholders

8. May Indian tribes apply?

- By statute, only states and units of general local government are eligible for P.L. 113-2 grants

- By NOFA, only the 67 listed governmental applicants are eligible to apply. See list in NOFA
- A state may partner with a tribe

9. How can I participate if my locality did not have a Qualified Disaster or is not in an eligible county?

- The NOFA provides a significant number of points for proposals that bring leverage and long-term commitments that enhance resilience beyond the most impacted and distressed area that qualifies for CDBG-NDR assistance
- Contact an Eligible Applicant to discuss how your community can participate

10. I am an expert in [name your field]. How may I participate in the NDRC?

- An Eligible Applicant may partner with other organizations to demonstrate necessary capacity. You may wish to contact one of the 67 Eligible Applicants listed in the NOFA.
- General Administrative Capacity
 - Project management (or program management as applicable) and logistics
 - Procurement (both professional services and construction)
 - Contract management
 - Financial management
 - Accountability, Quality Control/Quality Assurance, Monitoring, Internal Audit
 - Rapid program design and launch
 - Determining, tracking, and evaluating project or program outcomes
- Technical Capacity
 - Risk, impacts, and vulnerability assessment, including integration of information on extreme weather events, climate variability, and climate change
 - Management of project design (architecture, landscape architecture, and engineering)
 - Site, city, and regional planning
 - Flood insurance and floodplain management
 - Insurance industry issues
 - Green (nature-based) infrastructure planning and implementation
 - Pre-development site preparation
 - Property disposition (as applicable)
 - Leveraged/mixed financing
 - Acquisition and disposition of real estate, including voluntary and involuntary relocation of homes and businesses,
 - Rehabilitation and reconstruction of housing, commercial, industrial, and other structures,
 - Redevelopment of property, from procurement through occupancy or final use
 - Remediation of brownfields and contaminated sites and ecological restoration
 - Accessing operating and investment capital
 - Assessing technical feasibility and value engineering
- Community Engagement and Inclusiveness
 - Regional collaboration
 - Cross-disciplinary collaboration

- Community Engagement and Outreach, especially with vulnerable populations and their advocates Project coordination in partnership with other key implementing stakeholders
- Consultation and stakeholder involvement during need determination, design, implementation, commissioning, and evaluation phases of a project
- Working productively with other organizations, including meeting management (both facilitation and scheduling).

11. How does an Eligible Applicant apply? (Basics)

- Get the NOFA (plus all Appendices) and forms from grants.gov. CFDA number is 14.272. Read them and follow the directions.
- Connect to CDBG and CDBG-DR mailing lists and read all the things here: <https://hudexchange.info/cdbg-dr/resilientrecovery>
- Find partners and connect with experts
- Consult with stakeholders and citizens
- Crunch data and form conclusions
- Generate a compelling disaster resilience idea
- Respond to the factors
- Submit a Phase 1 application by the deadline

12. How does an Eligible Applicant apply (Phases)?

- Two phases
 - In Phase 1 you have 180 days to frame the issues, find partners, consult with stakeholders, generate an idea, make a long-term commitment
 - HUD will invite high Phase 1 scorers to submit a Phase 2 project implementation proposal drawn from your Phase 1 framing and idea
 - Reserve pool – \$30M CDBG-DR pool to address well-documented unmet recovery needs in non-selected applicant communities

13. With whom may an Eligible Applicant apply?

- One of the 67 governments listed in the NOFA must be the Applicant
- You may choose Partners to add capacity to your team, depth to your application (Soundness of Approach), and aid in implementation (Leverage and Outcomes)
- After award, a Partner will help implement Phase 2 and may become a subrecipient, developer, contractor, co-funder, consultant . . .

14. What are the thresholds?

- Eligible Applicant
- Eligible County (Appendix B)
- Eligible Activity
- Most impacted and distressed area with Unmet Recovery Needs

- Incorporate resilience
- Meet a national objective
- Meet overall benefit (or provide a compelling need to receive a waiver)
- Establish tie-back
- Benefit-Cost Analysis (Phase 2 Covered Projects)
- Execute certifications
- Meet General Section administrative thresholds

15. What are the most impacted and distressed and the unmet recovery needs thresholds?

- Most impacted and distressed area with Unmet Recovery Needs
 - Funds are only to address unmet recovery needs (including related resilience) of most impacted and distressed areas that are located in eligible counties
 - Unmet recovery needs in a most impacted and distressed area is a participation threshold – best applications will reach further.
 - See webinar on this threshold

16. What does this term mean?

- Generally terms are defined the same as in the annual Community Development Block Grant (CDBG) program
- Some NDRC terms defined in the NOFA:
 - Most Impacted and Distressed (see Appendix G)
 - Unmet Recovery Needs
 - Tie-back
 - Qualified Disaster
 - Resilience
 - Project
 - Covered Project
 - Vulnerable Populations

17. What is your basis for that conclusion?

- Evidence-based practice
 - *refers to the use of the best available conclusions/findings from research and studies as a base for determining the best practices and predictions of outcomes in a field. A strong evidence base is offered by studies with designs that can support causal conclusions and studies that, in total, include enough of the range of participants and settings to support generalizability.*
- Demonstrate you set goals, designed programs based on quality data

18. How can you be more efficient?

- Faster launches through coordination with environmental and historic preservation consultation requirements
- Competition design merges some environmental review consultation and analysis elements into program-related factors
- Include staff with environmental review expertise from outset and look for opportunities to include required environmental consultation on meeting agendas.

19. What will help you get to Phase 2?

- Make a long-term commitment with measurable resilience enhancing effects.
- Phase 1: Factor 5 Long-term commitment
 - *Describe any steps you have already taken or are seriously considering that commit you to increasing the resilience in your jurisdiction regardless of whether you receive a CDBG-NDR award. HUD will only award points for Phase 1 or invite an Applicant to Phase 2 if it has already taken (since the date of the Qualified Disaster) or firmly commits to take within one year of the announcement of Phase 2 results, one or more actions improving permanent resilience in a geography including at a minimum its most impacted and distressed target area(s).*

20. Why is leverage so important?

- CDBG-NDR funds are for necessary expenses to address Unmet Recovery Needs in most impacted and distressed areas
- However, risks and extreme events do not have boundaries; resilience should not have boundaries
- Best applications will commit leverage to expand the reach of NDRC into broader geography and beyond activities with tie-back to the Qualified Disaster

21. Why the emphasis on vulnerable populations?

- Research shows vulnerable populations may not have access to the information and resources needed to participate in recovery
- CDBG-DR's unique role in post-disaster relates to program focus on low- and moderate-income persons and the businesses, housing, and infrastructure serving them
- Environmental justice responsibilities of grantees
- Involvement of all stakeholders needed to frame the best path(s) forward

22. What are the Phase 1 deadlines?

- You may submit your Most impacted and Distressed and Unmet Recovery Needs threshold responses within 45 days of NOFA publication for early review.

- The NOFA was published September 17. Forty-five days after is November 1, which falls on a weekend. HUD will accept 45 day submissions until COB Monday, November 3, as a courtesy.
- HUD will review your Most impacted and Distressed and Unmet Recovery Needs threshold responses and send a letter within 15 working days indicating whether your submission meets threshold requirements or not, and indicate noted deficiencies.
- If HUD says your initial submission does not meet a threshold, you may make changes and submit in your Phase 1 application.
- The 45-day threshold review is an optional submission.
- See the NOFA and the topic webinar for more information on meeting these thresholds.
- Full Phase 1 applications due 180 days after publication, March 15, 2015, via grants.gov

23. What happens in Phase 2?

- An Applicant invited to Phase 2 will submit a proposal for a project to implement based on the Phase 1 framing and idea.
- The project must be demonstrated to be feasible. This means the Applicant has the capacity to implement it, and the project is designed properly to achieve the proposed benefits.
- The best applications will extend resilience beyond actions and areas eligible for CDBG-NDR assistance by leveraging, plans, and strategic long-term commitments.

24. What are the Phase 2 deadlines?

- If invited by HUD, you will submit your Phase 2 application 120 days after the date of your invitation letter.
- HUD and other agencies and experts will rate and rank all applications
- HUD anticipates taking up to 60 days after the Phase 2 submissions before announcing awards.
- HUD must obligate the funds (sign a grant agreement) by September 30, 2017.
- A grantee will have 24 months to expend the funds after obligation.
 - If you submit a schedule with your Phase 2 application that indicates time needed for completion of your proposal exceeds 24 months, you must also submit a waiver request for a time extension with its application.
- See Appendix A for requirement detail and Appendix E for instructions on requesting a waiver.

25. What triggers a BCA?

- Any Phase 2 application with a Covered Project must submit a benefit-cost analysis
- *“Covered Project. A major infrastructure project having an estimated total cost of \$50 million or more (including at least \$10 million of CDBG-DR or CDBG-NDR funds), or benefiting multiple counties. Additionally, two or more related infrastructure projects*

that have a combined total cost of \$50 million or more (including at least \$10 million total of CDBG-DR, or CDBG-NDR funds) must be designated as major infrastructure projects.”

- See Appendix H for instructions
- All Phase 2 applications must submit outcome metrics based on Appendix H.
- HUD is not considering the BCA for points
- *“HUD will not fund any Phase 2 activities for which the benefits to the applicant’s community and to the United States as a whole are not demonstrated by the evidence submitted to justify the costs.”*

26. Is this really Community Development Block Grant?

- CDBG-DR builds off basic CDBG chassis
- Supplemental appropriations language establishes basis for use of CDBG-DR by:
 - Establishing funding level
 - Identifying events eligible for assistance
 - Providing waiver & alternative requirement authority
 - Defining other requirements
- CDBG includes a broad range of eligible activities that align with recovery and resilience
 - Public facilities and infrastructure
 - Housing rehabilitation and construction
 - Assistance to businesses
 - Acquisition/Demolition

27. Do activities have to meet a CDBG national objective?

- Activities must meet CDBG national objective (See Appendix A)
 - Low/mod benefit
 - Address slums/blight
 - Urgent need

28. What does not change from annual CDBG?

- HUD works from basic CDBG statute and regs
- Applies waiver and alternative requirement authority
- Ability to “bend” CDBG for disaster recovery is broad but has certain key limitations imposed by:
 - Supplemental appropriation
 - Cross-cutting statutes
 - Administration policy
- Sandy Supplemental (PL 113-2) permits HUD to waive or establish alternative requirements for any statute or regulation that it administers in connection with use of funds except for requirements related to:
 - Fair housing
 - Non-discrimination

- Labor standards (Davis-Bacon)
 - The environment (NEPA and related acts)
- Further, HUD does not waive OMB and Treasury requirements which would interfere with statutory directives to limit fraud, waste and mismanagement

29. Is economic development still an eligible activity?

- Yes.
- CDBG-NDR funds may only be used to assist small businesses per SBA definition
- For example, effectively limits use of CDBG-DR funds for energy grid projects carried out by large for-profit utilities as well as liquid fuel supply chain activities that involve major companies

30. What activities are not eligible for CDBG-NDR assistance?

- Ineligible activities for CDBG-NDR funding:
 - Any activity not meeting eligibility, national objective, tie-back, Unmet Recovery Need, and most impacted and distressed area thresholds.
 - Most pre-award activities (partial waiver in NOFA)
 - Any activity not in compliance with fair housing and civil rights requirements
 - Projects dependent on contingent action to be effective or feasible, or projects that do not demonstrate feasibility
 - Temporary measures
 - Response activities, equipment, and training
 - Projects in a Special Flood Hazard Area where the jurisdiction is not participating in the National Flood Insurance Program

31. What waivers are available?

- Appendix E describes possible waivers and provides instructions on making requests.

32. What can an Eligible Applicant win?

- Minimum NDRC grant amount is \$1 million
- Maximum NDRC grant amount is \$500 million
- Reserve pool
 - \$30 million total for non-selected Phase 1 and Phase 2 applicants with demonstrated Unmet Recovery Needs.
 - HUD will issue a separate Federal Register allocation Notice
 - Maximum allocation \$500 thousand (for existing PL 113-2 CDBG-DR grantees)
 - Maximum allocation \$2.5 million (for non-PL 112-2 grantees)
- See NOFA for details

New: Week of October 6-10, 2014 Questions and Answers

Q33: In Appendix G, Section II. B. 1 (a) includes the phrase “a concentration of housing damage in a sub-county area due to the eligible disaster causing damage to either a minimum of 100 homes or serious damage to a minimum of 20 homes.” What exactly qualifies as “serious damage”?

A: Along with the data on the HUDUser site linked from Appendix G, HUD is adding an explanation of how HUD identified "serious damage". However, HUD did not specifically define the term in the NOFA, so an applicant may explain, with supporting data, why it believes its Most Impacted and Distressed Area(s) has serious damage that meets the concentrated housing damage standard of "serious damage to a minimum of 20 homes" under II.B.1.(a) of Appendix A.

Applicants could use HUD's criteria for "serious damage" but a different data source (if HUD agrees with the validity of the data), or could use some other criteria to make a case for serious damage, if supported by valid data.

Q34: May existing CDBG-DR or regular CDBG awards be eligibly used to apply for the CDBG-NDR competition?

A: The regular eligibility rules issued under the applicable CDBG-DR grant Notice for each grant apply. All those Notices rely on the regular CDBG regulations on this point.

In all CDBG and CDBG-DR grants, planning is an eligible activity under the Housing and Community Development Act of 1974 (HCD Act) and, for Entitlement grantees in the regulations at 24 CFR 570.205. Also in the CDBG Entitlement regulations at 24 CFR 570.206, preparation of applications for CDBG and other federal programs is an eligible general administration cost if the grantee determines that the funds applied for are necessary to meet community development objectives. A current annual CDBG or CDBG-DR *state* grantee may use the entitlement regulations as interpretive guidance or make and document its own reasonable reading of the Housing and Community Development Act of 1974 regarding eligibility.

As with any CDBG-DR expenditure, if you use CDBG-DR funds for this purpose, you will need to reasonably establish how the use of funds relates to recovery from the disaster(s) for which you were awarded the funds. (What the NDRC NOFA defines as tie-back.) Further, for the annual CDBG program, State expenditures for planning activities are required by the regulations to meet a national objective.

Q35: Can you please clarify what you mean by a “sub-county area”? Do you mean a SINGLE “census designated place, tribal area or census tract” or can we combine contiguous census tracts and tribal areas to create a sub-county area?

A: In general, terms the NOFA did not define, we are allowing applicants to define, within reason and based on valid data.

We used the term “sub-county area” because HUD has access to county-level damage data from FEMA and SBA, but not to data or information on disaster effects at a sub-county level.

Q36: May there be multiple applications from one state, i.e. more than one proposal in Phase 1?

A: No. Only one application is permitted per Eligible Applicant. There are 67 eligible applicants. All of them are states or local governments. Here's what the NOFA says:

1. Number of Applications and Projects.

- (1) An Applicant may participate in a maximum of one application under this NOFA. A Partner may participate in more than one application, provided each application demonstrates capacity.
- (2) There is no limit to the number of proposed activities, partners, or projects per application, so long as all proposed activities meet all thresholds and CDBG-NDR program requirements.

Q37: Has the Rockefeller Foundation put out the academy list yet? Does HUD have any other resilience information?

A: The Rockefeller Foundation (RF) is posting information about its effort here:

<http://www.rockefellerfoundation.org/our-work/current-work/resilience/national-disaster-resilience-competition> .

HUD's site at www.hud.gov/resilience will also provide links to the RF effort and other general resilience resources.

Q38: How many projects may an applicant submit within the NOFA response for Phase 1 and Phase 2 to address the multitude of unmet needs in our area that we may be looking to address with this funding opportunity?

A: The NDRC NOFA does not request project submissions in response to Phase 1. HUD is aware that potential applicants for this competition will be at varying points in resilience-related planning and will respond to some of the Phase 1 questions accordingly in present, future, or past tense. The NOFA characterizes Phase 1 as a framing phase and summarizes this way: "The applicant's responses in Phase 1 will describe this framing process and its results, identify the partners and other resources, and describe the resulting resilient recovery concept or idea."

If you are invited to Phase 2, the NOFA provides the following guidance: "You must identify scaling and scoping options for your Phase 2 proposal as described in the Soundness of Approach Factor. There is no limit to the number of proposed activities, partners, or projects per application, so long as all proposed activities meet all thresholds and CDBG-NDR program requirements."

Q39: Can drought prevention be addressed without a specific declaration for drought? Could it be considered as a precursor to a fire declaration?

A: At the grant technical level (what you may use CDBG-NDR funds for), the only costs allowable to be charged to a Phase 2 CDBG-NDR award are

“necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.) (Stafford Act), due to Hurricane Sandy and other eligible events in calendar years 2011, 2012, and 2013.”

At this level (CDBG-NDR grant funds, technical requirements), in this context, “disaster” means a Qualified Disaster, which must be a Presidentially declared major disaster under the Stafford Act. Note however, that, within a disaster recovery project (speaking generically and including housing, infrastructure, etc), or economic revitalization project, HUD accepts costs related to resilience as necessary expenses and the NOFA explicitly says, “The CDBG context also leads naturally to requiring resilience elements within recovery projects because it creates stability. Reducing current and future risk is essential to the long-term economic well-being of communities and businesses.” Thus, if you are contemplating a recovery project that has established “tie-back” and you want to add elements to the project to address identified future threats and risks (including risks from extreme events other than major declared disasters), in general, you may, within the requirements described in the NOFA and Appendix A.

Another way to say what Phase 1 requires is that you must tie back to the Qualified Disaster, then pivot to look forward to understand the risks, threats, hazards, community development objectives, or vulnerabilities that the design of your recovery proposal must take into account to be most effective, useful, and enduring.

On the competition level (what you can apply other resources to), note that several Phase 1 and Phase 2 factors provide additional points for extending the reach of your resilience proposal beyond the Qualified Area or activities for which you can demonstrate tie-back and for providing funding from other sources to achieve this extension.

Q40: Is dollar cap for all proposed projects or per project?

A: We assume to dollar cap you are referring to is the \$500 million for Phase 2 awards? This limit is per application. An application may include multiple projects.

Q41: If we present five alternatives [for the Most Impacted and Distressed Area with Unmet Recovery Needs (MID-URN)] and one is bad, will all five be rejected (for both the November 3rd deadline and Phase 1). Will HUD do partial awards?

A: To meet the Most Impacted and Distressed and Unmet Recovery Needs threshold for your application to be rated for Phase 1, you only need to have one MID-URN Qualified Area meet the thresholds. For the optional 45 day submission, even if HUD indicates that none of your

submitted areas demonstrate that they meet threshold, you may still make changes and make a Phase 1 submission.

No CDBG-NDR awards will be made following Phase 1. Any applicant meeting the requirements for referral to the reserve pool will receive additional guidance from HUD through a separate Federal Register Notice. HUD did reserve the right to make partial awards following Phase 2 and the NOFA asks all applicants to describe scaling and scoping possible within their Phase 2 proposals.

Q42: In Appendix G, Section II, under “Most Impacted Characteristics” Threshold Requirement B (Infrastructure) states, “Damage to permanent infrastructure (i.e. FEMA Category C to G) in a sub-county area estimated at \$2 million or greater.” Is the \$2 million minimum threshold for a single project or can it be the accumulation of multiple projects in a sub-county area? Also, can the damage cross over multiple FEMA categories?

A: The \$2 million is the minimum for the total damage to permanent infrastructure in the identified sub-county area, not restricted to a single project. Damage in multiple FEMA C to G categories may contribute to the total for purposes of the Most Impacted Characteristics requirement.

Q43: We wanted to confirm if as a Public Corporation (part of the government of [state]) we are eligible to apply directly for funding, or if the application should be submitted by the agency that manages the CDBG funding for [state]. Please clarify so that we can proceed with the development of our application.

A: Under the CDBG statute, the governor or chief elected official of a state or commonwealth may designate a state agency to submit an application to HUD and administer any grant that may be awarded. Under the NOFA, each Eligible Applicant may submit only one application to HUD.

Q44: What are the procurement requirements applicable for for-profit Partners?

A: HUD did not waive any procurement requirements, but was able to provide some relief because the timeframes for procurement would preclude some Eligible Applicants from gaining necessary capacity. Also note that under the CDBG regulations, procurement requirements will not be applicable to some for-profit Partners, depending on their role. Such for-profits may include, for example, co-funders such as lending institutions, or project developers.

Where procurement requirements would be applicable, the NOFA provides that:

“in the case of a Partner specifically identified in the application that the Grantee would be otherwise required by program requirements to competitively procure, will not be required by HUD to undertake additional procurement competition to secure the services of any Partner for an application selected under this NOFA. (In many cases, this will entail the Grantee undertaking a cost analysis prior to making payments to such a Partner.) The provisions of 24 CFR 85.36 set

forth the conditions under which a grantee may engage in a non-competitive, single source procurement (§ 85.36 (d)(4)). Grantees operating under part 85 are granted the authorization referenced under § 85.36 (d)(4)(i)(C) only regarding procurement of a duly documented Partner selected prior to the Applicant's submission to HUD. State grantees that have not adopted part 85 should review state or local requirements associated with single source procurement to ensure continued consistency with § 85.36 and are advised to follow all applicable procurement requirements."

Q45: Is the restoration or preservation of natural ecosystems eligible for CDBG-NDR assistance?

A: Probably, assuming the project meets national objective, tie-back, and other program requirements. CDBG eligible activities that may support such a project include, for example, planning, acquisition of property for a public purpose, clearance, public improvements, payment of non-Federal share in connection with a Federal grant-in-aid, relocation, and historic preservation. In Phase 2, the NOFA also provides eligibility waiver request instructions in Appendix E.

The NOFA says, "Maintaining an improvement across time is often easier if the improvement was designed and developed to be effective given future conditions and to be sustainable, in the sense of using green or natural resources or approaches compatible with or supporting the natural environment."

The Rebuild by Design competition resulted in several proposals involving restoration or preservation of natural ecosystems. Information about the Rebuild by Design process and innovative design proposals is available at www.rebuildbydesign.org.

Q46: What is HUD's methodology for determining "serious damage"?

A: Total Housing Units Damaged = number of housing units with a FEMA Individual Assistance inspection showing real property or personal property damage.

Total Housing Units with Serious Damage = number of owner-occupied housing units with real property FEMA inspected damage of \$8,000 or greater and/or 4 or more feet of flooding on the first floor; plus the number of renter-occupied housing units with personal property FEMA inspected damage of \$2,000 or greater and/or 4 or more feet of flooding on the first floor

These definitions are the same as those used to determine formula allocations. More detail on the methodology for formula allocations are included in formula CDBG-DR Federal Register allocation notices.

Q47: Do you have step-by-step instructions for a state to find LMISD data by county (or sub-county area)?

A: INSTRUCTIONS

1. follow link and open app
<http://hud.maps.arcgis.com/home/item.html?id=9642c475e56f49efb6e62f2d8a846a78>
2. deselect block group layer
3. select county layer
4. zoom or search to zoom
5. click on county in map
6. see LMISD attributes in pop-up

Our data specialist says even easier might be the lists of Local Government Summary LMISD by State <https://www.hudexchange.info/manage-a-program/acs-low-mod-summary-data-local-government/> click on your State, open the Excel file, and the Counties are first in the sort order, followed by CoSubs, then Places.

New: Week of October 13-17, 2014 Questions and Answers

Q48: How should a state Eligible Applicant treat CDBG entitlements? Does the state have to pass-through the funds?

A: States that are Eligible Applicants may choose whether or not to include CDBG entitlement communities and other units of general local government as Partners in the NDRC application. Regardless, if it receives a Phase 2 award, a State grantee will not be required to distribute funds as it does in the regular, annual CDBG program. In Appendix A, the NOFA provides State grantees a waiver and alternative requirement as follows:

Requirements at 42 U.S.C. 5306 are waived, to the extent necessary, to allow a State to directly carry out CDBG-DR activities eligible under this NOFA, rather than distribute all funds to local governments. Experience in administering CDBG supplemental disaster recovery funding demonstrates that this practice can expedite recovery. Pursuant to this waiver, the standard at section 570.480(c) and the provisions at 42 U.S.C. 5304(e)(2) will also include activities that the State carries out directly. In addition, activities eligible under this NOFA may be carried out, subject to State law, by the State through its employees, through procurement contracts, or through assistance provided under agreements with subrecipients or recipients, so long as the State is consistent with its Action Plan, including description of capacity and commitments to work with partners. Notwithstanding this waiver, State grantees continue to be responsible for civil rights, labor standards, and environmental protection requirements contained in the HCD Act and 24 CFR part 570, as well as ensuring such compliance by subgrantees.

Q49: Is [x,y,z] eligible for CDBG-NDR funding?

A: HUD staff may help an Eligible Applicant determine whether an activity, as presented by the applicant, is CDBG or CDBG-DR eligible, but HUD may not advise on how to change a possible CDBG-NDR proposed activity to make it eligible if it is not, or how to make the proposed activity more competitive or advise on whether the Eligible Applicant should seek an eligibility waiver. Questioners are strongly advised to study the program requirements in the NDRC NOFA, including Appendix A, before asking questions regarding activity eligibility.

Q50: May New York City and the states of New York and New Jersey compete for funds from the national pool as well?

A: Yes. New York City and the states of New York and New Jersey are each listed as one of the Eligible Applicants in the NOFA and may each submit one application. In making award decisions, HUD will consider for the set-aside any Phase 2 applications from the jurisdictions eligible for that pool, and, if they are high-scoring and not fully funded, HUD will also consider those applications within the overall pool. The set-aside is otherwise subject to the same requirements as the overall competition.

Note that HUD did reserve the right to ensure geographic diversity in making award selections.

Q51: Who can be a Partner? A tribe? A city or county? A developer? A bank?

A: Yes, any of those may be a Partner. Here is the definition of Partner from the NOFA:

“Partner. Partner means a State, unit of local government, a nonprofit entity, a private developer, a financial institution, or other entity chosen by the Applicant to assist the Applicant in applying for funding or in carrying out a funding award or project under this NOFA, and which submits a letter of intent to assist in that capacity, and which may be referenced by the Applicant for purposes of demonstrating additional capacity for planning, design, financing, or implementation in applying for funding under this NOFA.”

Q52: If the Eligible Applicant shows that there are unmet housing recovery needs in a county to pass threshold, can it only propose activities related to housing or can it also include infrastructure? (i.e., propose to elevate flood-impacted homes, AND address undersized culverts in that county that were the cause of the flooding that created home damage.)

A. Your proposal must tie-back to recovery from the effects of the Qualified disaster. Housing need may include a need to repair housing, and it may also, for example, include a need to protect the recovery of an affected residential area that was already repaired or elevated to

protect affordability or economic revitalization. You must establish a reasonable tie-back to addressing the effects of the Qualified Disaster. Here is the definition from the NOFA:

Tie-back. A tie-back reasonably shows how the effects of the Qualified Disaster resulted in an Unmet Recovery Need that can be addressed by the proposed CDBG-NDR-assisted activities. Or, stated in the reverse, how the proposed project reasonably “ties-back” to addressing demonstrated direct and indirect effects of the Qualified Disaster. Once the necessary tie-back is established for a project, you may design a project that addresses or satisfies an Unmet Recovery Need and also has co-benefits, such as meeting other community development objectives and economic revitalization needs, including greater resilience to negative effects of climate change. HUD has determined that generally, designing a project that improves resilience to the impacts of climate change while meeting an Unmet Recovery Need is a necessary and reasonable cost of recovery.

Q53: Does the most impacted and distressed and unmet recovery needs threshold determination made by HUD at the time of the 45-day threshold review permanently fix the project area for the purposes of Phase 1 and Phase 2 work? Or, can we make the case for adding other impacted and distressed areas with unmet needs that may emerge through the Phase 1 planning process?

A: No, the optional 45 day submission does not permanently fix the project area. Yes, you may make changes in your Phase 1 submission and updates if you are invited to Phase 2. HUD anticipates that consultation and iterative consideration will cause applicant understanding of unmet recovery needs to change.

Q54: Do the unmet recovery needs submitted to meet the threshold criteria need to be CDBG-DR eligible? For example, if a town wastewater system in a special flood hazard area is compromised by the disaster but the community does not participate in the NFIP (making the activity ineligible for CDBG-DR), can the cost of repair be used to meet the threshold?

A: No, the unmet recovery needs submitted to meet the threshold criteria do not need to be CDBG-DR eligible.

Q55: Would the reconstruction and improvement of a road, bridge or culvert that was repaired quickly after a storm but in a “non-resilient” way qualify as a remaining unmet need? For example, some road segments, bridges and culverts were replaced immediately following a disaster to accelerate recovery and restore access to emergency services, other critical infrastructure, homes and businesses. The priority was to open the road quickly, but the repair may have been made without the benefit of a resilient design. Although in-place and functioning from a transportation perspective, a quickly-repaired road, bridge or culvert remains vulnerable.

A. This is a difficult question. In general, once an infrastructure element has been repaired to existing standards, CDBG-DR would not consider the structure to have a remaining unmet recovery need. There are unusual case exceptions, mostly involving standards updated during construction of the element or a structure deliberately built below standard for reasons of exigency, but they are not the general rule.

Q56: Can we demonstrate unmet recovery needs at sites where stream projects completed after the disaster were done in a non-resilient way? For example, some “repair” work done in streams and rivers by municipalities after the Qualified Disaster exacerbated future risks to homes, business and infrastructure (e.g. when towns built new berms or armored river banks to try to contain flood and fluvial erosion flows). Does the cost of redoing these areas in a resilient way meet the definition of an unmet recovery need?

A. As noted above, in general, once an infrastructure element has been repaired to existing standards, CDBG-DR would not consider the structure to have a remaining unmet need. However, redoing these areas with other funding for the purpose of increasing resilience in the overall project area could be considered for supporting leverage.

Q57: I can't find the Appendices on grants.gov. Can you give me the step-by-step instructions?

A: The Appendices can be tricky to find on grants.gov. Here are the step by step instructions.

1. Go to <http://www.grants.gov/web/grants/home.html>
2. Click on the "Browse Agencies" Tab under "Find Open Grant Opportunities"
3. Click on "Department of Housing and Urban Development"
4. Click on "FR-5800-N-29" (National Disaster Resilience Competition)
5. On the next screen, click the "Application Package" tab
6. Click "Download" under "Instructions and Application"
7. Enter and verify your email address or check "No, I do not wish to provide my email address"
8. Click "Submit"
9. Click on the "Download Application Instruction" link and download the zip file

Q58: 2. If all HUD CDBG-DR guidelines including resilient building measures are included in the construction of a project and that project is completed before possible NDRC funds are awarded, can the project cost be reimbursed to the City (with NDRC funds) if properly documented?

A: No. HUD granted a partial pre-award waiver in the NOFA. Here is what the NOFA says:

“You may not use CDBG-NDR grant funds to pay for any activities carried out on or before the date of the letter announcing the award of the grant except that you may use grant funds, should you receive an award, to reimburse CDBG-NDR eligible costs of grant application preparation, including planning and citizen outreach activities. Note that general administration costs may not exceed more than 5 percent of any grant. This is not waivable. For detailed guidance on what costs are included in general administration, see Notice CPD 2013-07, available from www.hud.gov.”

Q59: Is there a process for requesting a 45-day deadline extension?

A: The 45 day review is optional and HUD is not providing extensions. HUD is providing the early review to help Eligible Applicants determine whether they have at least one most impacted and distressed area with unmet recovery needs that will meet the competition threshold requirement. Meeting the thresholds for the competition means that HUD will score the entire Phase 1 application. You may, of course, submit for the 45 day review as many areas as you choose to, however, the 45 day submission does not have to include all possible qualified areas that may be submitted in the official Phase 1 application in March.

Q60: The Corporation for National and Community Service (CNCS) allows the use of federal funds as match towards its grants contingent upon approval from the other federal agency. Can these CDBG-NDR funds be used for cost share or match for another Federal program? Can you confirm that the costs of supporting or running a National Service program would be allowable under CDBG-NDR?

A: For background, CDBG (and by extension CDBG-DR and CDBG-NDR) grants are governed by the Housing and Community Development Act of 1974, which creates a framework of national objectives and eligible activities. Within this framework, the grantees (all states and units of general local government or Tribes) make funding decisions and implement programs. CDBG funds are difficult-to-impossible to use to pay organizational operating costs per se. They are intended to build an infrastructure or affordable housing project, provide a direct service to an eligible population, or to finance economic development loans (for several examples).

One of the eligible activities for CDBG funds is payment of cost share or match for other Federal programs. If a CDBG grantee chooses to use grant funds for such match, the CDBG national objectives, Davis-Bacon, environmental, and financial requirements must all be met. So the answer to your first question is, yes, payment of match is an eligible activity, however, all the

other CDBG-NDR requirements must also be met for the activity to be fundable. This determination is made at the local level, by the grantee or applicant. If a grantee elects to partner with the Corps or a nonprofit or governmental organization working with the Corps to carry out a specific project, this could potentially fit in the CDBG model and be fundable.

In this context, the second question is straightforward. If the activity the Corps members are working on is eligible and meets a national objective and, for CDBG-NDR, ties back to a Qualified Disaster, and meets all applicable CDBG-NDR requirements, then the allowable costs for the eligible activity would be those allowed under the applicable OMB Cost Circulars.

Q61: Do you have a schedule for webinars and what information will you cover?

A: We have two types of webinars hosted by HUD and two topic streams. The two webinar types are live and pre-recorded. The two topic streams are NOFA Technical and General Resilience. Some of the HUD webinars will be presented live, with opportunity for questions and answers. We are scheduling those now and adding them to the HUDEXchange calendar. Other webinars are being pre-recorded and will be posted on the HUDEXchange site for visitors to view on their own schedule. We plan to post or hold at least one HUD-hosted webinar per week and are accelerating our schedule to get as many as possible completed and posted by the end of the year.

If HUD staff participate in a webinar hosted by another organization, we will provide links to recordings or transcripts of those webinars. We also update the FAQs at the HUDEXchange page for the NOFA to reflect any new questions or answers. (In the interests of fairness, we are using the same presentation and talking points for all such outside webinars.)

We will also send messages to the HUDEXchange CDBG and CDBG-DR mailing lists and updating the FAQs regularly during Phase 1.

New: Week of October 20-24, 2014 Questions and Answers

Q62: Who is a good contact at the Small Business Administration for data on impacted businesses?

A: Lynda Lowe (Lynda.Lowe@sba.gov) and Alex Contreras (alejandro.contreras@sba.gov) are the SBA points of contact who know about the NDRC. One of their roles includes the development of MOUs for the SBA to share data with various partners.

Q63: Are there any more Rockefeller Foundation workshops scheduled for the NDRC competition? If so, where and when?

A: The Rockefeller Foundation effort is independent of the technical aspects of the competition (which I work on), so I cannot update you on it. The Rockefeller Foundation website with

information about its resilience efforts is here: <http://www.rockefellerfoundation.org/our-work/current-work/resilience/national-disaster-resilience-competition> . My understanding is that the Foundation is reaching out to the 67 eligible applicants to extend invitations to participate and that the summit and academies are not open to the general public.

Both HUD and the Rockefeller Foundation will be providing information and resources about community resilience on through our websites.

Q64: As it pertains to requirements for meeting ‘most impacted,’ ‘distressed,’ and ‘unmet needs’ thresholds, Appendix G – on numerous occasions – details data gathering methodology that is anecdotal in nature. This would include, for example, windshield surveys and such surveys designed to locate a certain number of distressed business owners, etc... Does HUD have a particular way by which it plans to validate such information? Would a state-certified list of addresses suffice, for instance?

A: Our Policy Development and Research staff confirm that a certification by the Eligible Applicant, in your case a state-certified list of addresses, would suffice for threshold purposes.

Q65: In Appendix G, Section II. B. 2. (d) states -- “Disaster impacted an area with prior documented environmental distress. The affected area contains a contaminated property cleaned, undergoing cleanup, or proposed for cleanup. States maintain a list of “brownfield” sites, many of which are linkable via this source: http://www.epa.gov/brownfields/state_tribal/state_map.htm. Applicants must demonstrate the prior documented environmental distress.” Does this mean that under that criteria, only brownfields are to be considered? Or were brownfields given as an example, and other document environmental distress may also be considered?

A: Brownfields are an example. The requirement is, “The affected area contains a contaminated property cleaned, undergoing cleanup, or proposed for cleanup . . . Applicants must demonstrate the prior documented environmental distress.”

Q66: What is the 45 day review for and what should be in the submission?

A : For the optional 45-day submission, HUD is providing a courtesy review of only the most impacted and distressed area with unmet recovery needs threshold requirements, as stated and described in Appendix G to the NOFA. Here is what the NOFA says about what to put into your request, and we also have a sample letter template linked on our website (<https://www.hudexchange.info/cdbg-dr/resilient-recovery/>) :

“During the first 45 days after publication of this NOFA, any potential Applicant may provide HUD a single written request with its “most impacted and distressed” and “unmet needs” threshold responses for one or more potential target areas (as defined in more detail in Appendix G). This request is not subject to citizen participation requirements. HUD will respond within 15 working days to confirm or reject whether the information provided for each area meets the thresholds and provide specific reasons for any rejection. HUD will only provide such a response one time for each

potential Applicant. HUD may tell an Applicant how a submission is deficient, but may not tell an Applicant how to fix the submission. Such requests must be submitted to ResilientRecovery@hud.gov and include the Applicant name; name, title, email address, telephone number, and agency of a contact person employed by the Applicant to which HUD shall respond.”

Q67: Are job training and other economic or social resilience activities eligible, or are you mostly only looking for infrastructure?

A: For a full list of the activities eligible for funding, see 24 CFR 570.201-207 of the CDBG regulations, Section 105(a) of the Housing and Community Development Act, and the waivers and alternative requirements granted in section V.B. of Appendix A of the NDRC NOFA. Also note that Appendix E provides instructions for requesting eligibility waivers in Phase 2. (Such waivers are not necessary for the Phase 1 “framing” submissions.)

As to what types of activities HUD expects to be proposed, note the following language in Phase 2 Factor 3, Soundness of Approach:

“A sound approach addresses comprehensive recovery, including the risks from vulnerabilities and community development objectives identified in Phase 1 and the preceding factors in a manner that will clearly be effective in creating or supporting physical or economic recovery and maintaining it resiliently for the foreseeable future.”

Q:68: May we submit a multi-state application? And if yes, how?

A: Yes, a multi-state application is possible. We are working on guidance on options.

Q69: For infrastructure projects that do not conform nicely to census tracts/block groups, are income surveys (pursuant to CDBG CPD Notices on Income Surveys) permitted in the NDRC as viable source data?

A: Yes, you may use surveys completed in accordance with the CPD Notices on Income Surveys.

Q70: Are Federally Funded Research and Development Centers eligible to receive funding for planning and analysis support through a primary, eligible grantee?

A: Planning is an eligible activity for CDBG-NDR assistance, provided the planning is necessary for understanding and meeting the community development objectives of the most impacted and distressed area with unmet recovery needs, or to determine which areas are most impacted and distressed with unmet recovery needs. Planning necessary for understanding and meeting the objectives of larger or different geography (which the NOFA does provide points for) requires other resources. Here is the CDBG planning regulation that applies to cities and

counties (and serves as interpretive guidance for states). http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5;node=24:3.1.1.3.4#se24.3.570_1205

Costs of applying to a federal program are also eligible at 24 CFR 570.206(f).

Q71: May [Eligible Applicant] just submit a list of projects for the 45 day or Phase 1 review?

A: No. Project information would not be responsive at either time. The optional 45 day review covers the most impacted and distressed area with unmet recovery needs thresholds. The Phase 1 application is about framing – refer to the response to Question 38 in this FAQ.

Q72: In Appendix G, Section II. B. 2. (d) states --

“Disaster impacted an area with prior documented environmental distress. The affected area contains a contaminated property cleaned, undergoing cleanup, or proposed for cleanup. States maintain a list of “brownfield” sites, many of which are linkable via this source: http://www.epa.gov/brownfields/state_tribal/state_map.htm. Applicants must demonstrate the prior documented environmental distress.”

Does this mean that under that criteria, only brownfields are to be considered? Or were brownfields given as an example, and other document environmental distress may also be considered?

A: Brownfields are an example. The requirement is, “The affected area contains a contaminated property cleaned, undergoing cleanup, or proposed for cleanup . . . Applicants must demonstrate the prior documented environmental distress.”

Q73: We are considering a multi-state NDRC application. Is a multi-state application possible? How?

A: Yes, a multi-state application is possible. We hope to be able to give a full answer to the “how” question in next week’s FAQs.